

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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*SONY CORPORATION,*  
Petitioner

v.

*RAYTHEON COMPANY,*  
Patent Owner

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**Case IPR2015-01201**

**Patent 5,591,678**

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**PRELIMINARY RESPONSE TO PETITION FOR *INTER PARTES*  
REVIEW OF U.S. PATENT NO. 5,591,678**

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Patent Owner Raytheon Company (“Patent Owner”) respectfully submits this Preliminary Response to the Petition seeking *inter partes* review of U.S. Patent No. 5,591,678 (“the ’678 patent”). This filing is timely under 35 U.S.C. § 313 and 37 C.F.R. 42.107, because it is within three months of the June 4, 2015 date of the Notice granting the Petition a filing date. (Paper No. 4, Notice of Filing Date, May 14, 2015).

## I. INTRODUCTION

Patent Owner respectfully submits that *inter partes* review of the ’678 patent should not be instituted in this matter because Petitioner has failed to meet its burden of demonstrating in its Petition that it has a reasonable likelihood of prevailing with respect to any of the challenged claims.<sup>1</sup> Specifically, two primary references, Bertin (Ex. 1017) and Morimoto (Ex. 1006)—one of which is cited in

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<sup>1</sup> Patent Owner’s election not to address (in this Preliminary Response) the substance of all of the prior art references or all of the merits of Petitioner’s arguments based on 35 U.S.C. §§ 102 and 103 does not constitute a waiver of these arguments or an admission that any prior art reference anticipates or renders obvious the claims of the ’678 patent.

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